

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY JE D.C.

05 JUN 21 PM 3:4

ROBERT R. DI TROLIO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

JOE WILLIAM FORD, JR.,

Plaintiff,

v.

CITY OF MEMPHIS, et al.,

Defendants.

No. 05-2017 Ma/V

ORDER GRANTING PLAINTIFF'S MOTION FOR LEAVE TO AMEND COMPLAINT

Before the court is plaintiff Joe William Ford, Jr.'s ("Ford") "Motion For Leave to Amend Complaint," filed on March 29, 2005. Defendants City of Memphis, Officer K. Workman, individually and as an employee of the Memphis Police Department, and Officer Marvin A. Richardson, individually and in his official capacity as officer and employee of the Memphis Police Department, have not filed a response.¹

"Rule 15(a) governs amendments to pleadings and provides that after a responsive pleading is filed, 'a party may amend the party's pleading only by leave of court or by written consent of the adverse party; and leave shall be freely given when justice so

¹ Ford states in the Certificate of Consultation filed with his motion that his counsel "has consulted with opposing counsel regarding Plaintiff's Motion for Leave to Amend Complaint and Mr. Klein and Ms. McKinney are unable to consent but will not file an objection [to] said motion." Mr. Klein is the lead counsel for the City of Memphis. Ms. McKinney is the lead counsel for the two individually named officers.

requires.' Fed. R. Civ. P. 15(a). Leave to amend may be denied when it would result in undue delay, prejudice to the opposing party, or repeated failure to cure deficiencies in the complaint." Phelps v. McClellan, 30 F.3d 658, 662 (6th Cir. 1994) (citing Foman v. Davis, 371 U.S. 178, 182 (1962); Duchon v. Cajon Co., 791 F.2d 43, 48 (6th Cir. 1986)). For good cause shown, the court GRANTS Plaintiff's motion.

So ordered this 21st day of June 2005.



SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 21 in case 2:05-CV-02017 was distributed by fax, mail, or direct printing on June 22, 2005 to the parties listed.

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Honorable Samuel Mays
US DISTRICT COURT